



To the Honorable Council
City of Norfolk, Virginia

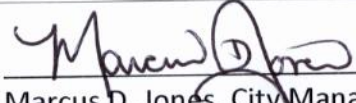
July 12, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special Exceptions to operate an Eating and Drinking Establishment and to permit Mixed Uses (residential above restaurant) at 1300 Redgate Avenue and 911 Orapax Street – Orapax Inn**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-7**

I. **Staff Recommendation:** Approval.

II. **Commission Action:** By a vote of **5 to 0**, the Planning Commission recommends **Approval**.

III. **Requests:** Special Exceptions to operate an Eating and Drinking Establishment and to permit Mixed Uses (residential above restaurant).

IV. **Applicant:** Orapax Inn

V. **Description:**

- The applicant proposes a building addition, which would increase the capacity at the existing Orapax Inn restaurant; this expansion requires a special exception to operate an eating and drinking establishment.
- The applicant also proposes to bring the existing nonconforming dwelling unit above the restaurant into conformity by obtaining a special exception for mixed-uses.
 - The restaurant and dwelling unit above have been in operation for over 50 years by the same operators.

	Previous	Proposed
Hours of Operation and Hours for the Sale of Alcohol	10:00 a.m. until 2:00 a.m., Seven days a week	Same
Capacity	<ul style="list-style-type: none">• 110 seats indoors• 28 seats outdoors• current capacity not established	<ul style="list-style-type: none">• 102 seats indoors• 0 seats outdoors• 114 total capacity

VI. Historic Resources Impacts

- The building is not located within a federal, state, or local historic district.
 - Since the building on the site is at least 50 years old, it could potentially meet the criteria for designation as a federal, state or local historic resource under the Department of Historic Resources guidelines.

VII. Public Schools Impacts

This site is located in the Taylor Elementary School, Blair Middle School and Maury High School Attendance Zones.

Staff point of contact: Matthew Simons at 664-4750, matthew.simons@norfolk.gov

Attachments:

- Proponents and Opponents
- Staff Report to CPC dated June 23, 2016 with attachments
- Ordinances

Planning Commission Public Hearing: June 23, 2016

Executive Secretary: George M. Homewood, FAICP, CFM *GH*

Planner: Matthew Simons, AICP, CZA, CFM *MS*

Staff Report	Item No.: 11	
Address	1300 Redgate Avenue and 911 Orapax Street	
Applicant	Orapax Inn	
Requests	Special Exceptions	a. Eating and drinking establishment b. Mixed Uses (residential unit above)
Property Owner	Athens, LLC	
Site Characteristics	Site/Building Area	11,748 sq. ft./5,000 sq. ft.
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	West Ghent
	Character District	Traditional
Surrounding Area	North	OSP (Open Space Preservation): Fergus Reid Tennis Courts
	East	C-1 (Limited Commercial): 7-Eleven
	South	C-2 and I-1 (Limited Industrial): The New Leaf florist, single-family home, duplex, fitness school, contractors offices
	West	OSP (Open Space Preservation): Fergus Reid Tennis Courts



A. Summary of Request

- The site is located at the northwest corner of Redgate Avenue and Orapax Street within the West Ghent neighborhood.
- The applicant proposes a building addition, which would increase the capacity at the existing Orapax Inn restaurant; this expansion requires a special exception to operate an eating and drinking establishment.
- The applicant also proposes to bring the existing nonconforming dwelling unit above the restaurant into conformity by obtaining a special exception for mixed-uses.
 - The restaurant and dwelling unit above have been in operation for over 50 years by the same operators.

B. Plan Consistency

The proposed special exceptions are consistent with *plaNorfolk2030*, which designates this site as residential mixed.

C. Zoning Analysis

i. General

- This eating and drinking establishment has been in operation for over 50 years.
 - The restaurant was in operation prior to the requirement of a special exception for the sale of alcoholic beverages and mixed uses and the restaurant and dwelling unit are legally nonconforming ("grandfathered").
 - The applicant proposes to modify the site by constructing an addition which requires that the site come into compliance by obtaining the necessary special exceptions.
- The site is zoned C-2 (Corridor Commercial) district which permits the uses by Special Exception.
- The site is surrounded by a mix of residential, commercial, recreational and light industrial uses nearby.

	Previous	Proposed
Hours of Operation and Hours for the Sale of Alcohol	10:00 a.m. until 2:00 a.m., Seven days a week	Same
Capacity	<ul style="list-style-type: none">• 110 seats indoors• 28 seats outdoors• current capacity not established	<ul style="list-style-type: none">• 102 seats indoors• 0 seats outdoors• 114 total capacity

ii. Parking

- The site is located in the Traditional Character District, which requires one parking space per 175 square feet for Eating and Drinking Establishments and two (2) parking spaces for the residential dwelling unit.

- The *Zoning Ordinance* promotes the reuse of existing buildings throughout the City by acknowledging all buildings constructed prior to 1992 as being vested from the basic parking minimum parking requirement of one space per 250 square feet.
 - Therefore, the 5,000 square foot facility is vested for 20 parking spaces.
- In order to comply with the *Zoning Ordinance*, the proposed 900 square foot addition requires five (5) additional parking spaces and one (1) space for the dwelling unit.
- In 2009, the western portion of the property was developed with a parking lot which added eleven (11) new off-street parking spaces to the site.
 - The *Zoning Ordinance* requires five (5) additional parking spaces.
 - The owner also owns the site at 816 Orapax Street, which has a parking surplus of five (5) spaces.
 - The uses on the two sites are such that shared parking should work because the uses do not share the same peak hours.
- The proposed 900 square foot building addition should not have an adverse impact on the surrounding uses given the shared parking agreement.

ii. Flood Zone

The property is located in the X Flood Zone, which is a low risk flood zone.

D. Transportation Impacts

- Institute of Transportation Engineers figures estimate that the proposed expansion of this existing restaurant with a residential unit on-site will generate 121 additional vehicle trips per day.
- Redgate Avenue adjacent to the site is not an identified priority corridor in the City of Norfolk Bicycle and Pedestrian Strategic Plan but is part of the existing Elizabeth River Trail.

E. Historic Resources Impacts

- The building is not located within a federal, state, or local historic district.
 - Since the building on the site is at least 50 years old, it could potentially meet the criteria for designation as a federal, state or local historic resource under the Department of Historic Resources guidelines.

F. Public Schools Impacts

The site is located in the Taylor Elementary School, Blair Middle School and Maury High School Attendance Zones.

G. Environmental Impacts

- The parking lot serving the restaurant is located to the west of the building and is buffered from any residential exposure by the Fergus Reid Tennis Courts.
- The parking lot was improved in 2009 through the City's Site Plan Review process.
 - The parking lot is constructed with pervious pavers to help mitigate the impacts of stormwater runoff.

- A landscape plan was approved during the Site Plan Review process and it continues to be adequately maintained.

H. Impact on Surrounding Area/Site

- Over the past year, there have been four calls for police service at this site with no arrests made.
- The restaurant has been in operation for over 50 years at this site and the addition, subject to compliance with the parking requirements, should not negatively impact the surrounding area.

I. Payment of Taxes

The owner of the property is current on all real estate taxes.

J. Civic League

- Letters were sent to the West Ghent Civic League and Chelsea Business Association on May 11.
- A letter of support was received from the West Ghent Civic League on May 20.

K. Communication Outreach/Notification

- Legal notice was posted on the property on May 17.
- Letters were mailed to all property owners within 300 feet of the property on June 9.
- Legal notification was placed in *The Virginian-Pilot* on June 9 and June 16

L. Recommendation

Staff recommends that the special exception requests be **approved** subject to the conditions shown below:

Special Exception Conditions – Eating and Drinking Establishment

- (a) The hours of operation for the establishment and for the sale of alcoholic beverages shall be from 10:00 a.m. until 2:00 a.m. the following morning, seven days a week. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 102 seats indoors, no seats outdoors, and the total occupant capacity, including employees, shall not exceed 114 people.
- (c) The establishment shall maintain a minimum of five available off-lot parking spaces within 500-foot walking distance, reserved for the exclusive use of the establishment during times when the establishment is open to the public for business.

- (d) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (e) The establishment shall maintain a current, active business license at all times while in operation.
- (f) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (g) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (h) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (j) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (k) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (l) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded.

and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.

- (m) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (n) There shall be no entertainment, no dancing, and no dance floor provided.
- (o) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (p) A copy of this Adult Use Special Exception ordinance and Exhibits shall be available on the premises at all times for inspection, and a notice indicating that this Adult Use Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

Attachments:

Location map

Zoning map

1000' radii map of similar ABC establishments and Norfolk Public Schools

Applications

Off-lot parking agreement with property at 816 Orapax Street

Notice to the West Ghent Civic League and Chelsea Business Association

Letter of support – West Ghent Civic League

Proponents and Opponents

Proponents

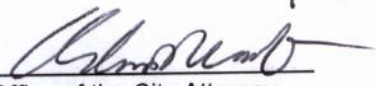
None

Opponents

None

Form and Correctness Approved: 

Contents Approved: 

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE OPERATION OF AN EATING AND DRINKING ESTABLISHMENT NAMED "ORAPAX INN" ON PROPERTY LOCATED AT 1300 REDGATE AVENUE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Orapax, Inc. authorizing the operation of an eating and drinking establishment named "Orapax Inn" on property located at 1300 Redgate Avenue. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 100 feet, more or less, along the northern line of Redgate Avenue and 100 feet, more or less, along the western line of Orapax Street; premises numbered 1300 Redgate Avenue.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment and for the sale of alcoholic beverages shall be limited to 10:00 a.m. until 2:00 a.m. the following morning, seven days per week. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 102 seats indoors, no seats outdoors, and the total occupant capacity, including employees, shall not exceed 114 people.
- (c) The establishment shall maintain a minimum of five (5) available off-lot parking spaces within 500-foot walking distance reserved for the exclusive use of the establishment during times when the establishment is open to the public for business.

- (d) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (e) The establishment shall maintain a current, active business license at all times while in operation.
- (f) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (g) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (h) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (i) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (j) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (k) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (l) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (m) There shall be no entertainment, no dancing, and no dance floor provided.
- (n) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (o) A copy of this Adult Use Special Exception ordinance and Exhibits shall be available on the premises at all times for inspection, and a notice indicating that this Adult Use Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning

administrator.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause

substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;

- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:
Exhibit A (3 pages)



EXHIBIT "A"
Description of Operations
Eating and Drinking Establishment

Date 5/6/16
Trade name of business Orapax Inn
Address of business 1300 Redgate Avenue
Name(s) of business owner(s)* Orapax, Inc. - Nicholas Seretis
Name(s) of property owner(s)* Athens, LLC - Nicholas Seretis
Daytime telephone number (757) 672-1153

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

<u>Facility</u>				<u>Alcoholic Beverage Sales</u>			
Weekday	From	<u>10am</u>	To	<u>2am</u>	Weekday	From	<u>10am</u> To <u>2am</u>
Friday	From	<u>"</u>	To	<u>"</u>	Friday	From	<u>"</u> To <u>"</u>
Saturday	From	<u>"</u>	To	<u>"</u>	Saturday	From	<u>"</u> To <u>"</u>
Sunday	From	<u>"</u>	To	<u>"</u>	Sunday	From	<u>"</u> To <u>"</u>

2. Type of ABC license applied for (check all applicable boxes)
☒ On-Premises ☐ Off-Premises (additional application required)
3. Type of alcoholic beverage applied for
☒ Beer ☒ Wine ☒ Mixed Beverage
4. Will indoor or outdoor entertainment be provided?
(Entertainment consists of anything more than one, unamplified musician)
☐ Yes (Different application required) ☒ No

Exhibit A – Page 2
Eating and Drinking Establishment

5. Will video games, pool tables, game boards or other types of games be provided?
☐ Yes (If more than 4, additional application required) ☒ No

5a. If yes, please describe type and number of each game to be provided

6. Will patrons ever be charged to enter the establishment?
☐ Yes ☒ No

6a. If yes, why

- 6b. Which days of the week will there be a cover charge (circle all applicable days)?

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

7. Will the facility or a portion of the facility be available for private parties?
☒ Yes ☐ No

7a. If yes, explain showers, retirements, family functions

8. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

8a. If yes, explain

9. Will there ever be a minimum age limit?
☐ Yes ☒ No

Eating and Drinking Establishment

10. Additional comments/ description/operational characteristics or prior experience:

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



Signature of Applicant

Form and Correctness Approved: 

Contents Approved: 

By 

Office of the City Attorney

By 

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT MIXED USES ON PROPERTY LOCATED AT 911 ORAPAX STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit mixed uses on property located 911 Orapax Street. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 100 feet, more or less, along the northern line of Redgate Avenue and 100 feet, more or less, along the western line of Orapax Street; premises numbered 911 Orapax Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following condition:

- (a) Not more than one (1) residential dwelling unit shall be located on the property.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;

- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent

real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

Location Map

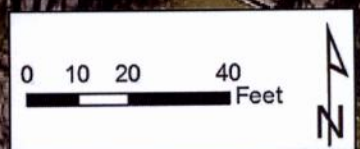


REDGATE AVENUE

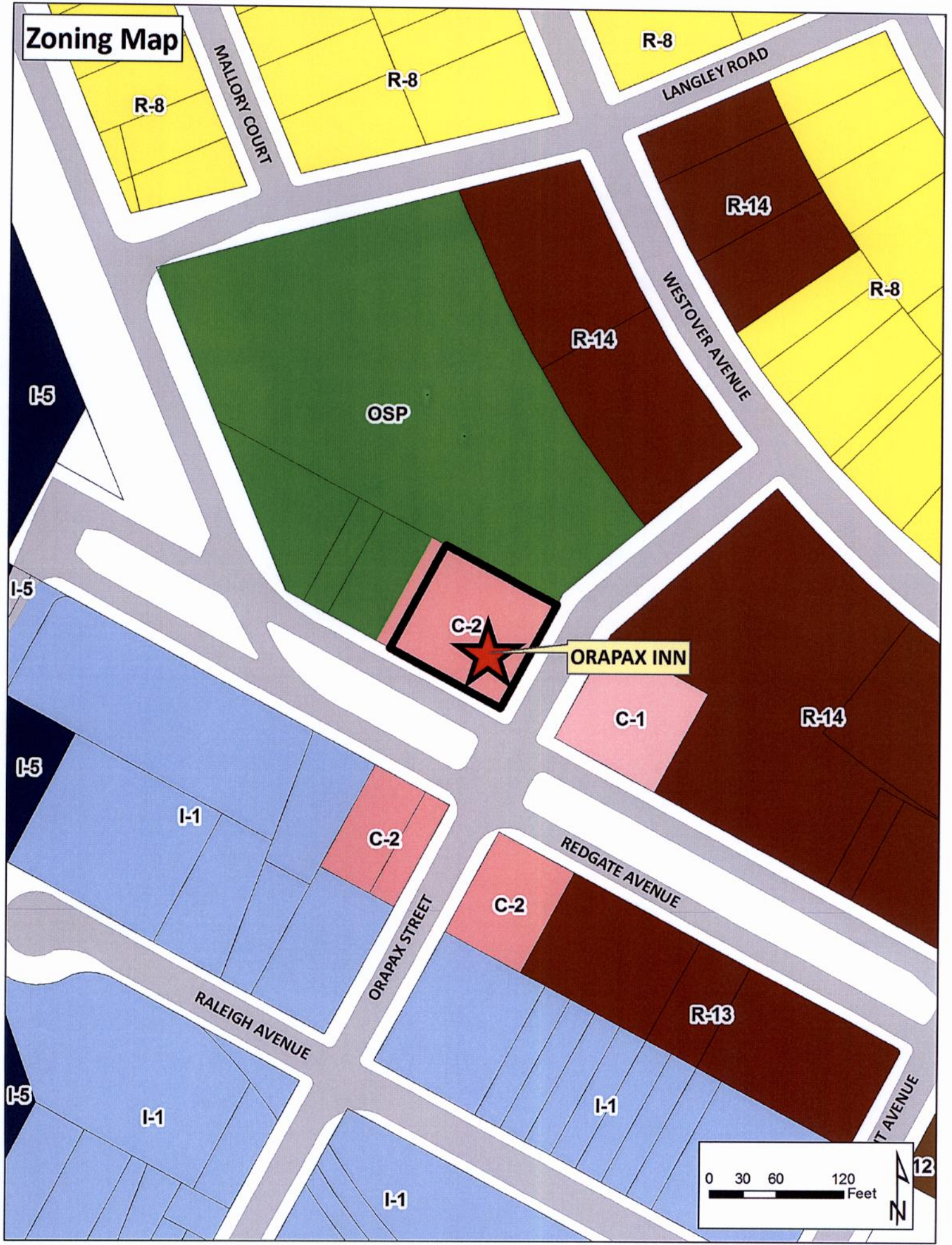
ORAPAX INN

ORAPAX STREET

REDGATE AVENUE

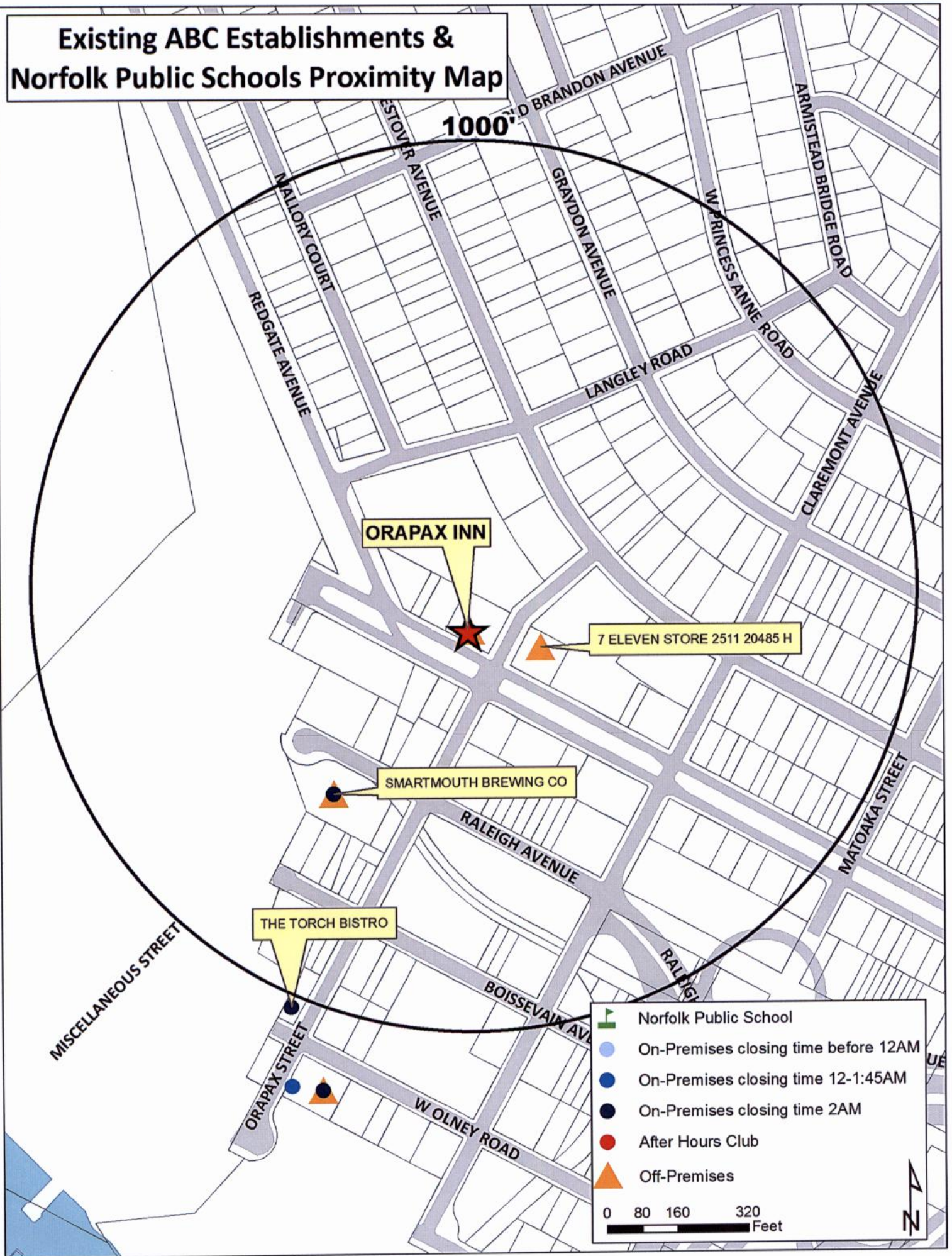


Zoning Map



Existing ABC Establishments & Norfolk Public Schools Proximity Map

1000'





APPLICATION
ADULT USE SPECIAL EXCEPTION
EATING AND DRINKING ESTABLISHMENT
(Please print)

Date 5/6/16

DESCRIPTION OF PROPERTY

Address 1300 Redgate Avenue

Existing Use of Property Restaurant with apt above

Proposed Use Same with bldg addition

Current Building Square Footage 4,100

Proposed Building Square Footage 5,000

Trade Name of Business (if applicable) Orapax

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

Athena, LLC

1. Name of applicant: (Last) SERETIS (First) NICK (MI) _____

Mailing address of applicant (Street/P.O. Box): 1300 REDGATE AVE

(City) Norfolk (State) VA (Zip Code) 23507

Daytime telephone number of applicant (757) 672-1153 Fax (757) _____

E-mail address of applicant: NICKSERETIS61@GMAIL.COM

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2015)

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) LEMOLLE (First) SALVATORE (MI) R

Mailing address of applicant (Street/P.O. Box): 2669 PRODUCTION RD/ 102

(City) VA. BEACH (State) VA (Zip Code) 23454

Daytime telephone number of applicant (757) 228-2620 Fax () _____

E-mail address of applicant: SALMOLLE @ GMAIL .COM

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

Athens. LLC
3. Name of property owner: (Last) Seretis (First) Nicholas (MI) _____

Mailing address of property owner (Street/P.O. box): 1300 Redgate Ave

(City) Norfolk (State) VA (Zip Code) 23507

Daytime telephone number of owner (757) 672-1153 email: nickseretis61@gmail.com

CIVIC LEAGUE INFORMATION

Civic League contact: West Ghent / Chelsea Bus. Assn.

Date(s) contacted: _____

Ward/Super Ward information: 2/6

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January 2015)

REQUIRED ATTACHMENTS

- Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- One 8½ inch x 11 inch copy of a floor plan prepared by a registered design professional drawn to scale showing seats/tables, restroom facilities, bar, ingress and egress, standing room, outdoor dining and total maximum capacity (see attached example)
- One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- Completed Exhibit A, Description of Operations (attached)

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Nicholas Seretis Sign: [Signature] 5.6.14
(Property Owner) (Date)

Print name: Nicholas Seretis Sign: [Signature] 5.6.14
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: Salvatore Lembo Sign: [Signature] 5.6.2014
(Authorized Agent Signature) (Date)

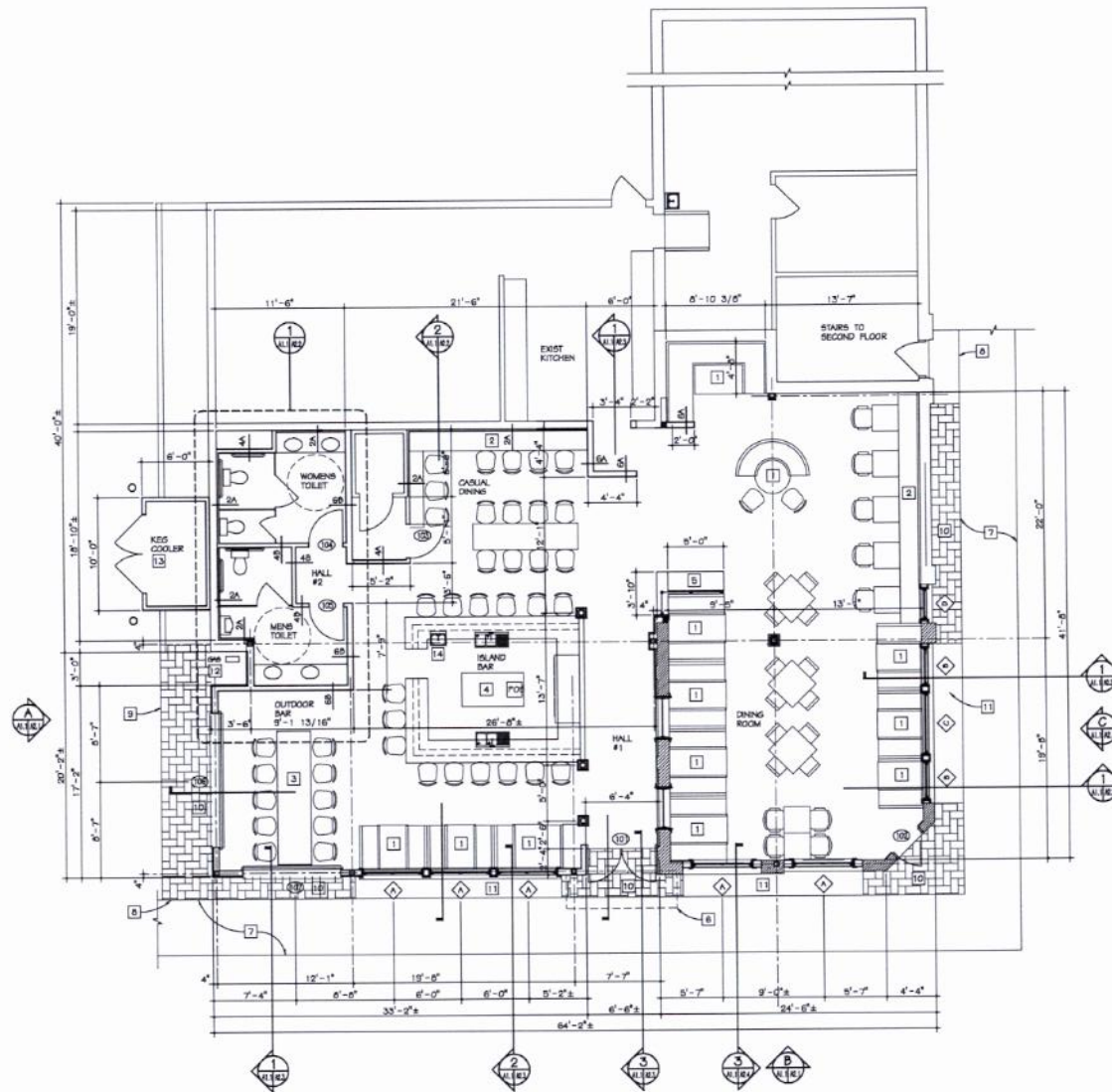
DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September 2015)



FLOOR PLAN - NEW WORK
1/4" = 1'-0"

FINISH SCHEDULE									
ROOM NAME	FLOOR	BASE	WAINSCOT	WALLS	CEILING				
	FIN	FIN	FIN	FIN	FIN	FIN	FIN	FIN	NOTES
HALL #1	STONE	NO	---	---	---	---	---	---	
ISLAND BAR	STONE	NO	---	---	---	---	---	---	
OUTDOOR BAR	STONE	NO	---	---	---	---	---	---	
CASUAL DINING	STONE	NO	---	---	---	---	---	---	
HALL #2	PT	NO	---	---	---	---	---	---	
WOMEN'S TOILET	PT	NO	PT	40"	---	---	---	---	
MEN'S TOILET	PT	NO	PT	40"	---	---	---	---	
DINING ROOM	STONE	NO	---	---	---	---	---	---	
EXIST KITCHEN	PT	QT	---	---	---	---	---	---	

FINISH SCHEDULE NOTES

1. PROVIDE HOLD DOWN CLIPS TYPICAL WITHIN 10'-0" OF ENTRY DOORS
2. EXIST WASHABLE CEILING TILE

ABBREVIATIONS

- ACT ACoustic CEILING TILE
AL ALUMINUM
EXP EXPOSED
HRS GLASS REINF PLASTIC
PANELS OVER GWS
GWS GYPSUM WALLBOARD
P PLYWOOD
PT PORCELAIN TILE
RESL RESILIENT

NOTES THIS SHEET

1. BOOTH SEATING, SEE TYPICAL DETAILS SHEET A-2.5
2. BENCH SEATING, SEE TYPICAL DETAILS SHEET A-2.5
3. DRINK TABLE AT 42" AFF
4. BAR, SEE TYPICAL CASEWORK DETAILS SHEET A-2.5
5. HORIZONTAL STATION
6. LINE OF ROOF ABOVE
7. EXIST CONC WALK
8. APPROX PROPERTY LINE
9. EXIST CURB
10. CONC PAVERS, TYP
11. LANDSCAPE BED
12. EXIST GAS METER, ADJUST / ROTATE TO FACE PARKING AS REQUIRED
13. INSULATED PANEL KEG COOLER
14. HANDSINK

ISSUED FOR PRICING
5-20-16

THE ORAPAX RESTAURANT ADDITION / ALTERATIONS

NORFOLK, VIRGINIA

1300 REDGATE AVENUE

SHEET 1001

FLOOR PLAN - NEW WORK

LEMOIRE ARCHITECTS
2000 TOWNSHIP RD
NORFOLK, VIRGINIA 23502
TEL: 757-261-1111
WWW.LEMOIREARCHITECTS.COM

A-1.1

3 OF 33



APPLICATION SPECIAL EXCEPTION

Special Exception for: Mixed Uses

Date of application: 5-6-16

DESCRIPTION OF PROPERTY

1300 Redgate Ave - parcel address

Property location: (Street Number) 909 (Street Name) Orapax St - mailing address

Existing Use of Property Restaurant

Current Building Square Footage 1,300 sf unit

Proposed Use Same restaurant with building addition.
One residential unit above.

Proposed Square Footage Same

Proposed Hours of Operation:

Weekday	From	<u>N/A</u>	To	<u>N/A</u>
Friday	From	<u>↓</u>	To	<u>↓</u>
Saturday	From	<u>↓</u>	To	<u>↓</u>
Sunday	From	<u>↓</u>	To	<u>↓</u>

Trade Name of Business (If applicable) Orapax

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Seretis (First) Nicholas (MI) (Oropox)

Mailing address of applicant (Street/P.O. Box): 1300 Redgate Avenue
(City) Norfolk (State) VA (Zip Code) 23507

Daytime telephone number of applicant (757) 672-1153 Fax () _____

E-mail address of applicant: nickseretis61@gmail.com

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) LEMOLE (First) Salvatore (MI) R.

Mailing address of applicant (Street/P.O. Box): 2669 PRODUCTION RD / 102
(City) VA. BEACH (State) VA (Zip Code) 23454

Daytime telephone number of applicant (757) 228. 2620 Fax () _____

E-mail address of applicant: SRLEMOLE@gmail.com

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Seretis (First) Nicholas (MI) Athens, LLC

Mailing address of property owner (Street/P.O. box): 1300 Redgate Avenue
(City) Norfolk (State) VA (Zip Code) 23507

Daytime telephone number of owner (757) 672-1153 email: nickseretis61@gmail.com

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810 Union Street, Room 508

Norfolk, Virginia 23510

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CIVIC LEAGUE INFORMATION

Civic League contact: West Ghent / Chelsea Bus. Assoc.

Date(s) contacted: _____

Ward/Super Ward information: 2/6

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Nicholas Seretis Sign: [Signature] 1 May 16 2016
(Property Owner) (Date)

Print name: Nicholas Seretis Sign: [Signature] 1 May 16 2016
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

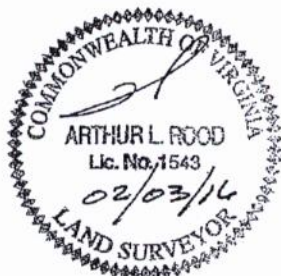
Print name SALVATORE LEMIRE Sign: [Signature] 5/6 12016
(Authorized Agent Signature) (Date)

DEPARTMENT OF CITY PLANNING

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Norfolk, Virginia 23510
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(Revised September, 2015)

FLOOD ZONE INFORMATION DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.

FB/PG: T121/42
FILE NO: 63239



Simons, Matthew

From: Straley, Matthew
Sent: Wednesday, May 11, 2016 11:32 AM
To: 'president@westghent.net'; 'malia@thebirchbar.com'
Cc: Whibley, Terry; Winn, Barclay; Wilson, Denise; Simons, Matthew
Subject: new Planning Commission application - 1300 Redgate Ave
Attachments: Orapax_EatingDrinking.pdf; Orapax_mixeduses.pdf

Dr. Lowe and Ms. Paasch,

Attached please find the applications for the following special exceptions at 1300 Redgate Avenue:

- a. Eating and drinking establishment.
- b. Mixed uses.

The purpose of the requests is to allow the existing restaurant to expand and bring the existing nonconforming dwelling unit on the second floor into conformity.

The item is tentatively scheduled for the June 23, 2016 Planning Commission public hearing.

Staff contact: Matt Simons at (757) 664-4750, matthew.simons@norfolk.gov

Thank You.

Matthew Straley
GIS Technician II


City Planning
810 Union Street, Suite 508
Norfolk, VA 23510
757-664-4769

Connect with us:
www.norfolk.gov



Simons, Matthew

From: GEORGE PEGRAM <wgclpresident@gmail.com>
Sent: Friday, May 20, 2016 2:22 PM
To: Simons, Matthew
Cc: Dan Neumann
Subject: Re: new Planning Commission application - 1300 Redgate Ave

Matthew,
We did bring the issue up at our general meeting on Wed. May 18th. I am happy to report that a motion was made and passed unanimously that the WGCL will go on record as not having opposition to the special exception application that will allow Orapax to serve alcohol. If I can be of further service please let me know.

Sincerely,
George

On Mon, May 16, 2016 at 4:46 PM, Simons, Matthew <Matthew.Simons@norfolk.gov> wrote:

George,

Okay thanks for the update.

Let me know if you think this is something that will be brought before the entire civic league or not.

Thanks,

Matthew Simons, AICP, CZA, CFM

City Planner II

757-664-4750

From: Straley, Matthew
Sent: Monday, May 16, 2016 3:44 PM
To: Simons, Matthew
Subject: FW: new Planning Commission application - 1300 Redgate Ave

FYI

Matthew Straley